

UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF NEW YORK  
LOUIS BRIAN OLESEN, II,  
BARBARA OLESEN,  
AMERICAN SHOOTERS SUPPLY, INC.,

Plaintiffs,

v

06-CV-0959FJS/DRS

JOHN MORGAN, Special Agent of  
the Federal Bureau of Alcohol,  
Tobacco and Firearms,

Defendant.

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**NOTICE OF MOTION**

MOTION BY: JOHN MORGAN, Special Agent of the  
Federal Bureau of Alcohol, Tobacco  
and Firearms

DATE: October 23, 2009  
Submitted on the papers

SUPPORTING PAPERS: Memorandum of Law in Support of  
Motion, Appendix, including  
Declarations of Patricia Power and  
Rory O'Connor, and Statement of  
Material Facts

RELIEF SOUGHT: Dismissal of Complaint pursuant to  
Fed.R.Civ.P. Rules 12(b)(1),  
12(b)(6) or, in the alternative,  
56(b)

**DATED:** September 21, 2009 KATHLEEN M. MEHLTRETTER  
United States Attorney  
Western District of New York

BY: S/Mary E. Fleming  
MARY E. FLEMING  
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**CERTIFICATE OF SERVICE**

I hereby certify that on September 21, 2009, I electronically filed the foregoing **NOTICE OF MOTION** with the Clerk of the District Court using its CM/ECF system, which would then electronically notify the following CM/ECF participant(s) on this case:

April M. Wilson, Esq.

S/Diane E. Carlsen  
DIANE E. CARLSEN  
Legal Assistant